

AO 106 (Rev. 04/10) Application for a Search Warrant

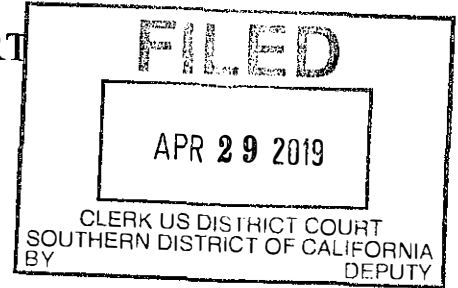
## UNITED STATES DISTRICT COURT

for the  
Southern District of California~~SEALED~~

In the Matter of the Search of

*(Briefly describe the property to be searched  
or identify the person by name and address)*8ch.net  
9120 Double Diamond Parkway, Suite 5901,  
Reno, NV 89521

Case No.



19MJ1755

## APPLICATION FOR A SEARCH WARRANT CASE UNSEALED PER ORDER OF COURT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

SEE ATTACHMENT A  
(INCORPORATED HEREIN)

located in the \_\_\_\_\_ District of \_\_\_\_\_ Nevada \_\_\_\_\_, there is now concealed *(identify the person or describe the property to be seized)*:  
8ch.net

SEE ATTACHMENT B  
(INCORPORATED HEREIN)The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. 247(a)(1), (a)(2)	Intentional obstruction, by force or threat of force of persons in the free exercise of religious belief, resulting in death; willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, re
18 U.S.C. 249(a)(1)	

The application is based on these facts:

SEE AFFIDAVIT OF SPECIAL AGENT MICHAEL J. ROD, INCORPORATED HEREIN.

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Special Agent Michael J. Rod, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/28/2019

City and state: San Diego, CA

Judge's signature

Honorable Jill L. Burkhardt

Printed name and title

1 EMC

AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT

I, Michael J. Rod, being first duly sworn, hereby depose and state as follows:

**I. INTRODUCTION**

1. This affidavit is submitted in support of an application for a search warrant, pursuant to 18 U.S.C. 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), for information associated with the following 8chan posting with ID 4e267a and No. 13192921 (hereinafter the “subject posting”), created by John Earnest and others, known and unknown, and stored at the premises owned, maintained, controlled, or operated by 8ch.net, 9120 Double Diamond Parkway, Suite 5901, Reno, NV 89521.

2. As described in further detail below, on April 28, 2019, John Earnest, armed with an AR15 style rifle, conducted an attack at the Chabad of Poway synagogue, injuring three individuals and killing one individual. He was later arrested and interviewed and admitted to the Chabad of Poway incident, as well as an arson at the Dar-ul-Arqam Mosque and Islamic Center on March 24, 2019.

3. There is probable cause to believe that within 8chan, more fully described in Attachment A, will be found evidence of violations of federal law, namely, intentional obstruction, by force or threat of force of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. § 247(a)(1), as more fully described in Attachment B.

1           4. I am an investigative or law enforcement officer within the meaning of  
2 Title 18, United States Code, Section 2510(7); that is, an officer of the United States,  
3 who is empowered by law to conduct investigations of and to make arrests for  
4 offenses enumerated in Titles 18 and 21 of the United States Code.

5           5. I am a Special Agent of the FBI, and have been so employed since May  
6 2010. I am currently assigned to the San Diego Field Division. Prior to joining the  
7 FBI, I was a United States Marine Corps Judge Advocate serving on active duty  
8 from November 2001 until May 2010. In my capacity as a Judge Advocate, I  
9 prosecuted and defended violations of the Uniform Code of Military Justice, acted  
10 as the Investigating Officer during criminal proceedings, provided legal assistance  
11 to service members, and advised military commanders on a wide variety of civil and  
12 administrative matters.

13  
14           6. I have received twenty-one weeks of training at the FBI Academy in  
15 Quantico, Virginia. During that training, I received instruction regarding a wide  
16 variety of investigative techniques that are commonly used in support of a wide  
17 range of the FBI's investigative priorities. The training included instruction  
18 regarding the use of sources, electronic surveillance techniques, law enforcement  
19 tactics, search and seizure laws and techniques, surveillance, forensic techniques,  
20 interviewing, and a variety of other subjects. I have acted as the lead investigator on  
21 a variety of cases and have participated in multiple cases that have focused on gang  
22 related matters.

23           7. Between July 2012 and February 2019, I was assigned to the North  
24 County Regional Gang Task Force (NCRGTF). During my time at the NCRGTF, I  
25 had personal contact with dozens of self-admitted or known gang members and their  
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1 associates and have discussed their lifestyles, method of operations regarding violent  
2 and property crimes, and their drug trafficking and drug distributing activities. I have  
3 participated in investigations involving criminal gang members including but not  
4 limited to Hispanic criminal street gangs. In March 2019, I was assigned to the HTTF  
5 and have assisted in cases involving human trafficking and the sexual exploitation  
6 of adults and children. The facts set forth in this affidavit are based on my own  
7 personal knowledge, knowledge obtained from other individuals during my  
8 participation in this investigation (including other law enforcement officers), my  
9 review of documents and computer records related to this investigation, and  
10 information gained through my training and experience. Because this affidavit is  
11 submitted for the limited purpose of establishing probable cause for a search warrant,  
12 it does not set forth every fact that I or others have learned during this investigation.

## 13 **II. PROBABLE CAUSE**

### 14 **A. Chabad of Poway Attack**

15 8. During the course of my current duties, I have learned the following  
16 from consulting with other state, local and federal law enforcement officers,  
17 including San Diego Sheriff's Department (SDSD) Detectives, San Diego County  
18 District Attorney Investigators, and my fellow FBI agents.

19 9. On April 27, 2019 at approximately 11:23 am. San Diego Sheriff's  
20 Communication Center received a 911 call of shots fired at the synagogue located  
21 on Chabad Way in Poway. The reporting party, Dan Sedereff, stated shots were  
22 fired in the synagogue.

23 10. During a briefing by the SDSD following the incident, it was reported  
24 that a white male, later identified as John Earnest, entered the synagogue through  
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1 the front door and fired several rounds from an AR15 rifle. He then proceeded  
2 further into the synagogue where he began firing rounds.

3 11. The SDSO stated that inside the synagogue was off-duty Border Patrol  
4 Agent Jonathan Morales who retrieved a revolver weapon from one of the  
5 congregation members and chased the suspect out of synagogue firing four shots at  
6 him as he got into a silver Honda that was parked across the street from the church.  
7 The Honda fled northbound on Rancho Bernardo Road. Morales then returned the  
8 gun to the congregation members who placed it in a black prayer bag and left it in  
9 the synagogue.

10 12. It was determined by officers that four people were shot and transported  
11 to the hospital.

12 13. SDSO Deputies responded to the synagogue along with paramedics.  
13 The synagogue was secured by deputies pending obtaining a search warrant from  
14 state authorities, which was planned to be executed later that day.

15 14. The same day (April 27, 2019), at approximately 11:30 a.m., a male  
16 who identified himself as John Earnest called into California Highway Patrol  
17 emergency line stating that he had fired shots into the synagogue and was willing to  
18 surrender to law enforcement. Earnest called from phone number 858.999.1461.  
19 Earnest gave his location as Phil's BBQ at 17051 West Bernardo Center Dr. He  
20 stated he was in possession of an AR15 Smith & Wesson MP15 rifle and several  
21 rounds of ammunition in his vehicle but that he would not use them against law  
22 enforcement. During that call, Earnest made the following comments, among others:  
23 "I just shot up a synagogue. I'm defending my country . . . I'm just trying to defend  
24 my nation against the Jewish people; they're destroying our people . . . I opened fire  
25 at a synagogue; I think I killed some people." I am informed and believed that Smith  
26 & Wesson does not manufacture firearms in the State of California.

1           15. San Diego Police Department ("SDPD") Officers responded to that  
2 location and took John Earnest into custody without further incident. Seen on the  
3 front passenger seat was an AR15 rifle but no handgun was visible. Additionally, in  
4 the vehicle was a helmet with a Go-Pro camera on it. SDPD Officers were holding  
5 the vehicle secure at the location pending obtaining and executing a state search  
6 warrant.

7           16. While on scene at the vehicle, it was learned that one of the victims,  
8 Laurie Kaye, died as a result of gunshot wounds.

9           17. During a public safety interview with SDPD Detective Rudy Castro,  
10 John Earnest confirmed his home address as 10134 Freeport Ct., San Diego CA. He  
11 further stated that there were no further weapons at the home. At that time, Earnest  
12 did not appear to be under the influence of a controlled substance but did appear to  
13 have a "flat affect" as though he was detached or unaffected by his actions.

14           18. SDPD SWAT officers and Detectives responded to the residence on  
15 Freeport Ct. The parents of the suspect were contacted and escorted from the home  
16 and taken to the Sheriff's Poway substation, pending the execution of a state search  
17 warrant on their residence. While at the substation, the parents informed law  
18 enforcement that their son frequently uses a computer in their home.

19           19. Using various search methods, Whitney Buckingham an SDSO system  
20 data miner, found a manifesto on Pastebin.com written by a person identifying  
21 himself as John Earnest. In the manifesto, which he named "An Open Letter",  
22 Earnest made many anti-Semitic and anti-muslim statements. One such statement  
23 which is a direct quote is, "As an individual, I can only kill so many Jews." He states  
24 he is not a terrorist but that he hates anyone who he sees as a threat to his country.  
25 Earnest took credit for a fire that had been set at mosque in Escondido a few weeks  
26 earlier. His exact statement was "I scorched a mosque in Escondido with gasoline a  
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1 week after Brenton Tarrant's sacrifice and they never found shit on me."

2 Additionally, he wrote "I spray-painted on the parking lot. I wrote 'For  
3 Brenton Tarrant -t./pol/'."

4 20. FBI Special Agent Maria Solomon observed part of the post-*Miranda*  
5 statement of Earnest. During that interview, he informed an SDSO Detective that  
6 he had adopted his ideology of hate for members of the Jewish religion  
7 approximately 18 month earlier. Based on my training and experience, I know that  
8 there is a process in which someone undergoes adoption of radical ideologies. This  
9 process can take several months or several years before a person actually commits  
10 to those ideologies. During the interview, Earnest also stated that he was inspired  
11 by individuals such as Adolph Hitler and Brenton Tarrant.

12 **B. Dar-ul-Arqam Mosque and Islamic Center Arson**

13 21. Based on information received from Bureau of Alcohol, Tobacco,  
14 Firearms and Explosives ("ATF") Special Agent Scott Brahin, on March 24, 2019,  
15 an unknown individual set fire to a mosque in Escondido, California.

16 22. Specifically, on March 24, 2019, at approximately 3:19 a.m., a 911 call  
17 was placed to report a fire at the Dar-ul-Arqam Mosque and Islamic Center  
18 ("mosque"), located at 318 West 6th Avenue in Escondido, California. The  
19 Escondido Fire Department and then Escondido Police Department ("EPD")  
20 responded. First responders learned approximately seven individuals had been  
21 spending the night at the mosque and, at approximately 3:15 a.m., they had observed  
22 flames and rushed outside to extinguish them with a fire extinguisher. First  
23 responders noticed ash or charring along approximately half the length of the  
24 mosque's west side and spray-painted writing on the asphalt parking lot near where  
25 the fire had occurred that read, "FOR BRENTON TARRANT r/pol/." First responders  
26 also noticed the odor of, or similar to, gasoline at the location of the fire.

23. Investigators conducted an online search for “Brenton Tarran” and noted that he was arrested for the mass shootings at two mosques in New Zealand that occurred on March 15, 2019 and is believed to be a white supremacist. Investigators also learned “r/pol/” is a reference to an online political discussion board that has been characterized as predominately racist, espousing views embraced by white supremacist groups.

24. Investigators reviewed surveillance footage retrieved from a business across the street from the mosque. The camera recorded an individual (“suspect”) park his/her four-door sedan in front of the mosque at approximately 3:00 a.m. In the video, the suspect exited the vehicle, walked towards the parking lot where the message was later found spray painted, and then returned to the vehicle. Shortly thereafter, the suspect again exited the car carrying a large container and walked toward the area of the mosque where the fire was set. A short time later, at approximately 3:15 a.m., a large flash of light and smoke are seen in the video and the suspect walked back to the vehicle and drove away westbound on West 6th Avenue. In surveillance videos obtained from businesses along the route, investigators observed that the suspect appeared to arrive at the mosque on March 24, 2019 by driving eastbound on West 9th Avenue, northbound on South Escondido Boulevard, and then westbound on West 6th Avenue, where he parked in front of the mosque. Investigators also observed, as noted above, that the suspect left the area by driving westbound on West 6th Avenue. Based on their review of surveillance videos, investigators believed that the suspect was driving a 2010 to 2015 Civic Honda, silver in color.

25. Earnest’s statements in the manifesto that he set fire to the Escondido mosque on March 24, 2019, are corroborated by the following. At the time of his arrest for the synagogue shooting, Earnest was driving a 2012 Honda Civic, grey in



1 color. Additionally, the spray painted message left by the mosque arsonist was not  
2 released to the media. The fact that the manifesto specifically makes reference to  
3 that message further corroborates that Earnest committed the mosque arson.

#### 4 **C. 8chan Posting**

5 **26.** Based on my training and experience, and online research, 8chan, also  
6 known as Infinitechan or Infinitychan (sometimes stylized as ∞chan), is an  
7 American-based website composed of user-created boards. According to Wikipedia,  
8 “An owner moderates each board, with minimal interaction from other site  
9 administration.”

10 **27.** On April 27, 2019, an Anonymous user posted on 8chan a posting with  
11 thread number 13192921 and posting ID number 4e267a. The posting read in part:

12 It's been real dudes. From the bottom of my heart thank you for  
13 everything. Keep up the infographic redpill threads. I've only been  
14 lurking for a year and a half, yet, what I've learned here is priceless.

15  
16 It's been an honor.

17  
18 Livestream link is below as well as my open letter. Livestream will  
19 begin shortly. <https://www.facebook.com/john.earnest.96780>

20  
21 An open letter.

22 <https://pastebin.com/VXXFQMTW>

23 [https://www.mediafire.com/file/d9oilcmjbenxiyz/Open\\_Letter.pdf.file](https://www.mediafire.com/file/d9oilcmjbenxiyz/Open_Letter.pdf.file)

24  
25 **28.** As discussed above, agents observed the content at the above described  
26 pastebin.com address and observed an open letter believed to be written by Earnest.  
27  
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1 Additionally, on April 27, 2019, Greg Simon of the SDPD located the above  
 2 described posting that included information about a livestream using a Facebook  
 3 account, <https://www.facebook.com/john.earnest.96780> (i.e., Facebook Account  
 4 Number 100035547390347, with user name "john.earnest.96780."). On or about  
 5 April 27, 2019, following the synagogue shooting, local law enforcement authorities  
 6 served a search warrant on Facebook for records for the "john.earnest.96780"  
 7 Facebook account, pursuant. In response to that request, Facebook provided records  
 8 which listed the user's phone as 858.999.1461 (the same number Earnest used to call  
 9 the CHP on April 27, 2019). Facebook verified the number on April 7, 2019.  
 10 Facebook identified two additional Facebook accounts possibly utilized by the user  
 11 of the john.earnest.96780 Facebook account, which were accessed via the same  
 12 browser and the same electronic device.

13 29. Agents observed that there were several postings responding to the  
 14 above described posting and thread. *this affidavit* *FD*  
 15 See Appendix 1, attached to Attachment B. For *MP*  
 16 example, on April 27, 2019, a posting with ID 2d7a65 and thread number 13193230  
 17 posted, "anyone had a decent read of his manifesto yet?" Another posting, ID  
 18 cb34c8 and thread number 13193259, stated:

19 It's very much written for /pol/, he goes into some depth about things  
 20 being called falseflags, about how you should start getting  
 21 prepared...Tarrant was a much more articulate writer, and walked  
 22 through his thought process much more, which leads to people being  
 23 able to understand (even if they can't publicly admit) why he did what  
 24 he did. Earnest's honest passion is his highlight and his weakness – no  
 25 boomer is going to read this and suddenly became aware of the JQ."

26 Another April 27, 2019 with ID 078285 and thread number 13193283 posted an  
 27 image of a news station article posted on April 27, 2019 at 12:11 pm. The headline  
 28

1 stated, "Multiple people gunned down at Poway Synagogue, police search for  
2 shooter."

3 **D. Basis for Information Sought**

4 30. Agents seek IP address and metadata information about Earnest's  
5 original posting and the postings of all of the individuals who responded to the  
6 subject posting and/or commented about it. Additionally, agents seek information  
7 about any other posting coming from the IP address used by Earnest to post the  
8 subject posting.

9 31. As discussed above, Earnest made a posting in which he thought to  
10 draw attention to his forthcoming attack on the Chabad of Poway, share his views  
11 through his open letter, and offer people the opportunity to observe the attack itself.  
12 Several people responded, both individuals who were taken aback about the posting  
13 as well as people who were sympathizers. As a result, some of the individuals may  
14 be potential witnesses, co-conspirators and/or individuals who are inspired by the  
15 subject posting. Based on agents' training and experience, following attacks such  
16 as those conducted by Earnest, other individuals are inspired by the attacks and may  
17 act of their own accord. For example, as described above, Earnest himself was  
18 inspired by the Christchurch event in New Zealand. Regardless of the nature of the  
19 comments, the evidence sought to be seized as described in Attachment B is relevant  
20 as evidence of Earnest's bias and motivation in committing the hate crimes set forth  
21 in Attachment B. Even comments made in response to the subject posting or about  
22 it are relevant to Earnest's motivation for his violent attacks to the extent that as  
23 explained above, some of the posters may be potential witnesses, co-conspirators  
24 and/or individuals who are inspired by the subject posting. As discussed above,  
25 Earnest stated in the subject posting, "I've only been lurking for a year and a half,  
26 yet, what I've learned here is priceless." This information suggests that Earnest was  
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1 inspired and/or educated by individuals who commented on his threads. Based on  
 2 this information, there is reasonable cause to believe that the information sought,  
 3 specifically IP address and metadata for all commenters, constitute evidence of his  
 4 motivation in committing the offenses described herein and are thus relevant and  
 5 material to an ongoing criminal investigation, information that may be sought by an  
 6 order issued pursuant to 18 U.S.C. § 2703(c) and (d). That is, the information may  
 7 lead to the identity of individuals who inspired and/or educated Earnest or are aware  
 8 of his motivation in committing the attacks.

9 32. FBI agents have consulted with 8ch.net about the kind of information  
 10 that the website maintains and understand that 8ch.net is an anonymous imageboard  
 11 and users are not required to create an account or use a name or an email address to  
 12 post. Hence, regular users usually have no usernames or email addresses linked to  
 13 their posts. However, agents have also learned that 8ch.net has used data forensics  
 14 in the past to find information about individuals who have posted on 8ch.net,  
 15 including IP address and metadata information (although not if the thread or post has

16 been deleted). On April 28, 2019, FBI agents communicated with 8ch.net about  
 17 this search warrant. Representatives are expecting the ~~application~~ <sup>warrant</sup>, so authority  
 18 April 29, 2019 is sought, given that the application is being submitted at  
 19 A. Genuine Risk of Destruction of Evidence  
 20 10:00 pm, thereby risking that the warrant will not be served prior to 10:00 pm.

21 33. Based upon my experience and training, and the experience and training  
 22 of other agents with whom I have consulted with, electronically stored data can be  
 23 permanently deleted or modified by users possessing basic computer skills. In this  
 24 case, only if the subject receives advance warning of the execution of this warrant,  
 25 will there be a genuine risk of destruction of evidence.

#### 26 **B. Prior Attempt to Obtain Evidence**

27 34. The United States is aware that individual users of ch.net contacted law  
 28 enforcement authorities about the subject posting and may have provided the subject

1 posting to law enforcement authorities. The United States is unaware of other efforts  
2 except as described herein.

3 **C. Ch.net**

4 35. Ch.net is an Internet company that, among other things, provides electronic  
5 communication services to its subscribers. Ch.net's electronic mail service allows  
6 its subscribers to exchange electronic communications with others through the  
7 Internet.

8 36. At the creation of a Ch.net account and for each subsequent access to  
9 the account, Ch.net logs the Internet Protocol ("IP") address of the computer  
10 accessing the account. An IP address is a unique address through which a computer  
11 connects to the Internet. IP addresses are leased to businesses and individuals by  
12 Internet Service Providers. Obtaining the IP addresses that have accessed a  
13 particular Ch.net account often identifies the Internet Service Provider that owns and  
14 has leased that address to its customer. Subscriber information for that customer  
15 then can be obtained using appropriate legal process.

16 **D. Procedures for Electronically Stored Information**

17 37. Federal agents and investigative support personnel are trained and  
18 experienced in identifying communications relevant to the crimes under  
19 investigation. The personnel of Ch.net are not. It would be inappropriate and  
20 impractical for federal agents to search the vast computer network of Ch.net for the  
21 relevant accounts and then to analyze the contents of those accounts on the premises  
22 of Ch.net. The impact on Ch.net's business would be severe.

23 38. Therefore, I request authority to seize all content, including electronic  
24 mail and attachments, stored instant messages, stored voice messages, photographs  
25 and any other content, as described in Attachment B. In order to accomplish the  
26 objective of the search warrant with a minimum of interference with the business  
27

1 activities of Ch.net, to protect the rights of the subject of the investigation and to  
2 effectively pursue this investigation, authority is sought to allow Ch.net to make a  
3 digital copy of the entire contents of the accounts subject to seizure. That copy will  
4 be provided to me or to any authorized federal agent. The copy will be forensically  
5 imaged and the image will then be analyzed to identify communications and other  
6 data subject to seizure pursuant to Attachment B. Relevant data will be copied to  
7 separate media. The original media will be sealed and maintained to establish  
8 authenticity, if necessary.

9 39. Analyzing the data to be provided by Ch.net may require special  
10 technical skills, equipment and software. It also can be very time-consuming.  
11 Searching by keywords, for example, often yields many thousands of "hits," each of  
12 which must be reviewed in its context by the examiner to determine whether the data  
13 is within the scope of the warrant. Merely finding a relevant "hit" does not end the  
14 review process. Certain file formats do not lend themselves to keyword searches and  
15 keyword search text. Many common electronic mail, database and spreadsheet  
16 applications, which files may have been attached to electronic mail, do not store data  
17 as searchable text. The data is saved in a proprietary non-text format. The volume of  
18 storage allotted by service providers increases, the time it takes to properly analyze  
19 recovered data increases dramatically.

20 40. Based on the foregoing, searching the recovered data for the  
21 information subject to seizure pursuant to this warrant may require a range of data  
22 analysis techniques and may take weeks or even months. Keywords need to be  
23 modified continuously based upon the results obtained. The personnel conducting  
24 the examination will complete the analysis within (90) days of receipt of the data  
25 from the service provider, absent further application to this court.  
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1       41. Based upon my experience and training, and the experience and training  
2 of other agents with whom I have communicated, it is necessary to review and seize  
3 all posting that identify any poster of the subject posting and any postings sent or  
4 received in temporal proximity to incriminating electronic mails that provide context  
5 to the incrimination mails.

6       42. All forensic analysis of the imaged data will employ search protocols  
7 directed exclusively to the identification and extraction of data within the scope of  
8 this warrant.

9       IV. REQUEST FOR SEALING AND PRECLUSION OF NOTICE

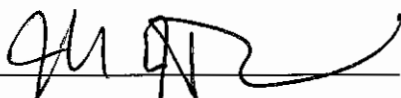
10       43. Although John Earnest has been arrested by state authorities, he is  
11 unaware of the scope and nature of law enforcement's investigation into his  
12 activities. Additionally, law enforcement is still investigating whether he acted  
13 alone, or conspired with others or was inspired by others. As such, there is reason  
14 to believe that that disclosure of the affidavit and warrant will result in destruction  
15 of or tampering with evidence or otherwise seriously jeopardize the investigation.  
16 Accordingly, it is requested that this warrant and its related materials be sealed until  
17 further order of the Court. In addition, pursuant to Title 18, United States Code,  
18 Section 2705(b), it is requested that this Court order Ch.net to whom this warrant is  
19 directed not to notify anyone of the existence of this warrant, other than its personnel  
20 essential to compliance with the execution of this warrant until October 28, 2019,  
21 absent order from the Court.

22       V. CONCLUSION

23       44. Based on the foregoing, your affiant submits that there is probable  
24 cause to believe that violations of federal criminal law, namely, violations of federal  
25 law, namely, intentional obstruction, by force or threat of force of persons in the free  
26 exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2),  
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1 willfully causing bodily injury to persons through the use of a firearm because of the  
2 actual or perceived religion of said persons, resulting in death, in violation of 18  
3 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. §  
4 247(a)(1), have occurred, and that evidence of said violations, as described in  
5 Attachment B will be found within the subject posting and all the postings of all of  
6 the individuals who responded to the subject posting and/or commented about his  
7 posting.

8  
9  
10 I declare under penalty of perjury under the laws of the United States that the  
11 foregoing is true and correct.


12 

13 Michael J. Rod

14 FBI, Special Agent

15  
16 Sworn to before me this

17 28<sup>th</sup> day of April \_\_\_\_ 2019

18 

19  
20 Hon. Jill L. Burkhardt

21 UNITED STATES MAGISTRATE JUDGE  
22  
23  
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Appendix 1

File (hide): 24426db81e67b3d....jpg (90.68 KB, 750x936, 125:156, Beware the fury of nighted....jpg) (b) (u)



[ ] ► **\*ahem\* Anonymous 04/27/19 (Sat) 14:00:15 ID: 4e267a No.13192921 [Watch Thread] [Show All Posts] >>13192955**

It's been real dudes. From the bottom of my heart thank you for everything. Keep up the infographic redpill threads. I've only been lurking for a year and a half, yet what I've learned here is priceless.

It's been an honor.

Livestream link is below as well as my open letter. Livestream will begin shortly.

<https://www.facebook.com/john.eamest.96780>

An open letter.

<https://pastebin.com/VXXFQMTW>

[https://www.mediafire.com/file/d9oilcmjbenxiyz/Open\\_Letter.pdf/file](https://www.mediafire.com/file/d9oilcmjbenxiyz/Open_Letter.pdf/file)

Also, in case they take down my livestream too soon and you don't get to hear all the awesome tunes I had planned—here they are. Very meme-able songs—you should have no problem.

-Sloop John B by The Beach Boys

-Original Pokemon Theme Song

- Warthog Run Theme from Halo Combat Evolved
- Warriors by Imagine Dragons
- The Last Stand by Sabaton
- Blow Me Away by Breaking Benjamin
- Winged Hussars by Sabaton
- Rose Tattoo by Dropkick Murphys
- The Path (A New Beginning) from The Last of Us

Meme magic is real. May the LORD Christ be with you all.

3:05 7



Schurter

\* = required field

[\[L\] Show post options & limits](#)[Continued? See the FAQ.](#)[Expand all images](#)☐ Tree view[Enable gallery mode](#)<[The 8chan Global Rule](#)>

[\[ The Gentleperson's Guide to Forum Spies | Global Volunteers |](#)  
[Post Test | FAQ \]](#)

File (hide): [8b192237f8d931....png](#) (51.61 KB, 1050x1024, 525 512,  
 1050px-White Pride World W...png) (1/1)



[\[L\] Inspired](#)  
 by Tarrant  
 shooting  
 muslims  
 Anonymous  
 04/27/19 (Sat)  
 08:39:26  
 ID: 550293

No.13192480 >>13192485 >>13192495 >>13192522 >>13192506  
 >>13192611 >>13192617 >>13192642 >>13192758 >>13192823  
 >>13192940 >>13193123 >>13194131 >>13194131 [\[Watch Thread\]](#)  
[\[Show All Posts\]](#)

French friend of mine sent me this, he claims to eliminate  
 muslim drug-dealers, who sell heroin to the kids.

Kill your local muslim drugs dealer

Everybody can do something for this world

[https://t.me/Tarants\\_Lads](https://t.me/Tarants_Lads)

[\[L\] Anonymous](#) 04/27/19 (Sat) 08:41:30 ID: 550293  
 No.13192485 >>13193200

>>13192480 (OP)

Fucking videos are the last two in that TG channel. I  
 cant fucking upload them here. Fucking 8chan

[\[L\] Anonymous](#) 04/27/19 (Sat) 08:42:21 ID: 066581  
 No.13192487 >>13192492 >>13192493

3:05



Schur

File (hide): 8b192237f8d931...png (51.61 KB, 1050x1024, 525.512, 1050x-White Pride World W...png) (1/1)



☐ Inspired  
by Tarrant  
shooting  
muslims  
Anonymous  
04/27/19 (Sat)  
08:39:26  
ID: 550293

No.13192480 >>13192485 >>13192496 >>13192522 >>13192536  
>>13192611 >>13192617 >>13192642 >>13192724 >>13192822  
>>13192940 >>13193123 >>13194261 >>13194321 [Watch Thread]  
[Show All Posts]

French friend of mine sent me this, he claims to eliminate muslim drug-dealers, who sell heroin to the kids.

Kill your local muslim drugs dealer

Everybody can do something for this world

[https://t.me/Tarants\\_Lads](https://t.me/Tarants_Lads)

☐ Anonymous 04/27/19 (Sat) 08:41:30 ID: 550293  
No.13192485 >>13192523

>>13192480 (OP)

Fucking videos are the last two in that TG channel, I cant fucking upload them here, Fucking Behan

☐ Anonymous 04/27/19 (Sat) 08:42:21 ID: 066581  
No.13192487 >>13192492 >>13192518

jews don't have friends.

☐ Anonymous 04/27/19 (Sat) 08:43:41 ID: 550293  
No.13192492

>>13192487

When you are so pathetic, that see kikes everywhere.  
Retard.



3:06



Schur.net

[https://t.me/Tarants\\_Lads](https://t.me/Tarants_Lads)

Anonymous 04/27/19 (Sat) 06:41:30 ID: 550293  
No.13192485 >>13192500

>>13192480 (OP)

Fucking videos are the last two in that TG channel. I  
cant fucking upload them here. Fucking Bchan

Anonymous 04/27/19 (Sat) 06:42:21 ID: 066581  
No.13192487 >>13192492 >>13192515

jews don't have friends.

Anonymous 04/27/19 (Sat) 06:43:41 ID: 550293  
No.13192492

>>13192487

When you are so pathetic, that see likes everywhere.  
Retard.

Anonymous 04/27/19 (Sat) 06:44:43 ID: 26f1f3  
No.13192496 >>13192502 >>13192506 >>13192711 >>13192486

>>13192480 (OP)

Props to your friend, as someone who lived in  
France, there is a astounding amount of muslims.

Anonymous 04/27/19 (Sat) 06:45:29 ID: 26f1f3  
No.13192502 >>13192506

>>13192486

But hey, 1 White is better than thousand muslims or  
more, a muslim (especially a sandnigger) is so stupid  
they can't do much harm.

Anonymous 04/27/19 (Sat) 06:46:33 ID: 550293  
No.13192506 >>13192512

>>13192502

>>13192496

How I drop videos here? Keep getting this error:  
MP4 must be made up of one H264 and one AAC  
stream only.

Anonymous 04/27/19 (Sat) 06:48:34 ID: e98225  
No.13192512 >>13192523

>>13192506

That seems to suggest that your video has dual  
audio. You have to rip one of the audio streams out  
using ffmpeg or ~~some equivalent program~~ to be able

3:06 4



Sch.net

Anonymous 04/27/19 (Sat) 08:52:44 ID: 550293

No.13192523 >>13192532 >>13192536 >>13192547 >>13192548

>>13192556 >>13192566 >>13192569 >>13192561 >>13192569

>>13192566 >>13192561 >>13192565 >>13192600 >>13192624

>>13192642 >>13192644 >>13192670 >>13192683 >>13192700

>>13192706 >>13192821 >>13192835 >>13193262 >>13193560

>>13194051 >>13194358

File (hide):

c2e724216458359...webm

(1.82 MB, 362x640, 151.320,

video, 2019-04-27 10:58:05.webm) (h) (u)

[u] [play once] [loop]



>>13192512

DID IT

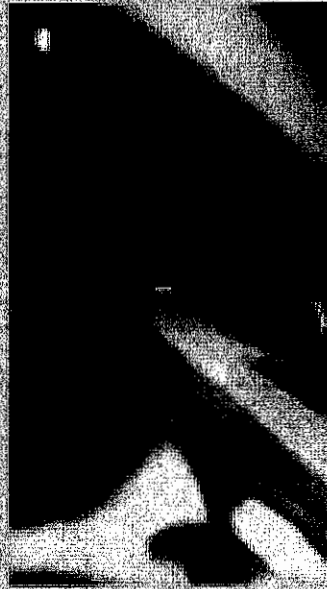
File (hide):

f185a179e44601e...webm

(1.44 MB, 362x640, R-15, video, 2019-

04-27 10:58:08.webm) (h) (u)

[u] [play once] [loop]



Anonymous 04/27/19 (Sat) 08:56:01 ID: 10be98

No.13192532

File (hide): 2ed11745e9a2445a...jpg (14.9 KB,

366x402, 66.67, 10779512.jpg) (h) (u)



3:07

Schulnet



>>13192512

DID IT

Anonymous 04/27/19 (Sat) 08:56:01 ID: f0be68  
No.13192532

File (hide): [2ed1745e9a2445a...jpg](#) (14.9 KB)

396x402, 66:67, 10779512.jpg (P) (U)



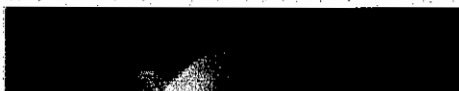
File (hide): [432d5529b6a33f2...png](#) (66.97 KB)

247x248, 247:248, 71925533.png (P) (U)



File (hide): [f8b9d7981d3d758...jpg](#) (14.85

KB, 201x212, 201:212, 05818815.jpg (P) (U)





3:09



Sch.net

Anonymous 04/27/19 (Sat) 09:04:37 ID: f5ea4a  
No.13192552

You shouldn't film yourself doing something you  
intend on getting away with

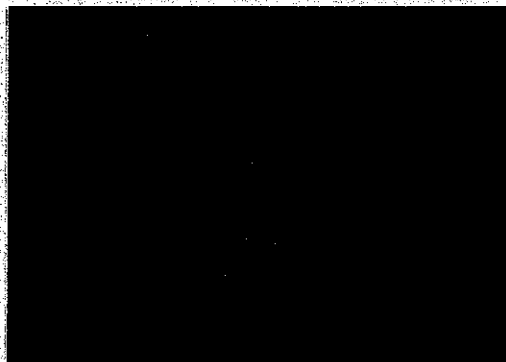
Anonymous 04/27/19 (Sat) 09:06:25 ID: 54d879  
No.13192556 >>13192576 >>13192584

>>13192523

What the fuck shooting style is this. You know a  
"drive-by" usually involves more or less stopping to  
take a shot.  
Garbage.

Anonymous 04/27/19 (Sat) 09:06:40 ID: f08ca7  
No.13192558

File (hide): f04a87c65e5338d---.png (83.29 KB,  
224x225, 234/225, 1556267350450-0.png) (h) (u)



The violence has escalated



File (hide): c2ca3a18076b440---.png (54.94 KB,  
225x219, 75/73, 1556264592241-2.png) (h) (u)



3:09

■ Schurter

No.13192560 >>13192562 >>13192568 >>13192584

>>13192523

did he shoot at anything? The first video is just gun shot noises, but no context, and the second video looks like just shooting into the night.

Anonymous 04/27/19 (Sat) 09:07:32 ID: 2611f3  
No.13192561

File (size): 2d9b41b44fc3b54...jpg (76.85 KB, 672x767, 672x767, 119er5cdko21.jpg) (D) (U)



>>13192523

Absolute legend.

Anonymous 04/27/19 (Sat) 09:07:45 ID: 878285  
No.13192562 >>13192576

>>13192560

Tbh i was asking myself that too

Anonymous 04/27/19 (Sat) 09:08:31 ID: 60edb4  
No.13192565

Reminder to only post shit like this through Tor unless you want a visit from Interpol.

Anonymous 04/27/19 (Sat) 09:09:29 ID: S4d879  
No.13192568 >>13192573 >>13192576 >>13192584

>>13192560

>did he shoot at anything?

No.

The guy's just letting off fireworks.

Anonymous 04/27/19 (Sat) 09:10:01 ID: 2611f3

3:10



Schur.net

>>13192560

Tbh i was asking myself that too

Anonymous 04/27/19 (Sat) 09:08:31 ID: 60edb4  
No.13192565

Reminder to only post shit like this through Tor unless  
you want a visit from Interpol.

Anonymous 04/27/19 (Sat) 09:09:29 ID: 54d879  
No.13192568 >>13192573 >>13192576 >>13192584

>>13192560

>did he shoot at anything?

No.

The guy's just letting off fireworks.

Anonymous 04/27/19 (Sat) 09:09:30 ID: 2611f3  
No.13192569

File (hide): 2bbf50462da88555... .png (377.54 KB, 500x574, 250:287,  
2bbf50462da88555n6c9w31f0 .png) (u) (s)



>>13192523

Muslims and arabs (sandriggers) can suck my dick,  
one less subhuman

Anonymous 04/27/19 (Sat) 09:10:12 ID: aad864  
No.13192571

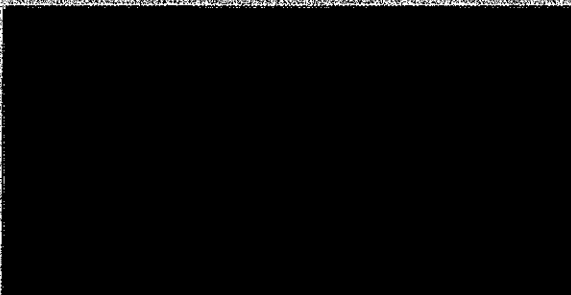
>okramians shooting out of a car at nothing

Tarrani walked into a crowded area and shot them.  
Your buddy is doing nigger tier shit.

Anonymous 04/27/19 (Sat) 09:10:36 ID: 2de262  
No.13192573



Classification: SA, serial, FBI, lead



2-12182400 107

**Upgrade the arsenal all the bases are belong to us.**

Stay safe blessed legends, no quarter asked none given.

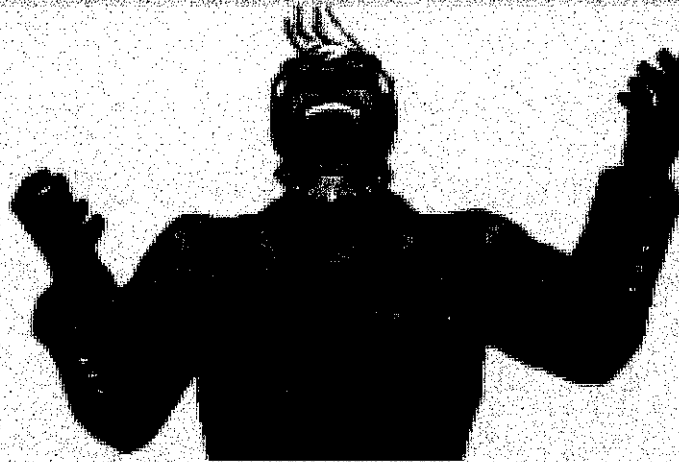
6:12

Sch.net

forever. Most likely not for the better.

Anonymous 04/27/19 (Sat) 14:01:18 ID: 946d83  
No.13193986

File (hide): 04db8bc83fee423....gif (107.59 KB, 258x192, 4:3,  
Gant Breakdown 2.gif) (h) (u)



>>13193965

Chad mode. Let's hope for 3 more

>>13193977

Checked, lucky sevens.

>>13193973

They lived if the Russians got to their carcasses  
first.....

Anonymous 04/27/19 (Sat) 14:02:18 ID: bc3969  
No.13193990

>>13193896

almost all large scale muzzie terrorist attacks were  
proxy by ZOG

>>13192601

kys you genetic garbage

Anonymous 04/27/19 (Sat) 14:02:23 ID: 9efe38  
No.13193991 >>13194019

>>13193982

Well, I am in an engineering programs right now. In a  
couple years we might have something like that.



12:25



Sch.net



**Anonymous (You) 04/27/19 (Sat) 12:15:58 ID: 8f4812**  
**No.13193248** >>13193252 >>13193254 >>13193290 >>13193294

>>13193230 **Anonymous 04/27/19 (Sat) 12:11:40**  
 Yeah i just re: ID: 2d7a65 No.13193230 >>13193237  
 happening.... >>13193248 >>13193259

<https://www.n-center-escon-arson-unit-50> anyone had a decent read of the manifesto yet?

**Anonymous 04/27/19 (Sat) 12:16:34 ID: ec359e**  
**No.13193252** >>13193261 >>13193265 >>13193275

>>13193248 (row)  
 >Published Mar 24, 2019 at 6:40 AM | Updated at 6:52 PM PDT on Mar 25, 2019

**Anonymous (You) 04/27/19 (Sat) 12:16:46 ID: 8f4812**  
**No.13193254** >>13193290

>>13193248 (row)  
 Id imagine were looking at call here

**Anonymous 04/27/19 (Sat) 12:17:49 ID: cb34c8**  
**No.13193259**  
 File (hide): 5269369d15cb374... .png (122.29 KB, 498x281, 498x281,  
 7eb18904314bd09a0153e1e5... .png) (b) (u)



12:25



Schuler

IN REPLYING TO: [REDACTED]

Anonymous 04/27/19 (Sat) 12:17:49 ID: cb34c8  
No.13193259

File (hide): 5269369d15db374...png (122.29 KB, 498x261, 499:281)

Tab:18750431abc09a2f527a1a5...png (51 KB)



>>13193230

It's very much written for /pol/. he goes into some depth about things being called falseflags, about how you should start getting prepared. He doesn't hold back from using /pol/ approved terms, and paints in pretty broad brushes. Clocks in at 8 pages (minus his signature) and that's the longest I'd want it to be, tbh. Tarrant was a much more articulate writer, and walked through his thought process much more, which leads to people being able to understand (even if they can't publicly admit) why he did what he did. Earnest's honest passion is his highlight and his weakness - no boomer is going to read this and suddenly become aware of the JO.

Anonymous 04/27/19 (Sat) 12:17:59 ID: Seec52  
No.13193261 >>13193258

>>13193252

First thing I looked at too.

This whole thing is a LARP to get people to friend a Facebook account to out stupid people. It's a clever glownigger tactic, but...meh. Whatever.

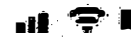
Anonymous 04/27/19 (Sat) 12:17:59 ID: 73c768  
No.13193262 >>13193261

File (hide): c53a7d16d742538...webm (3.15 MB, 720x480, 3.2

c53a7d16d7425387b2c273792...webm) [play once] [loop]



12:25



Schurmer

Anonymous 04/27/19 (Sat) 12:19:29 ID: 000000  
No.13193268

>>13193246

Anybody not already at least on tor or a vpn is playing  
with fire here. don't get yourselves caught before  
actually making an effort

>>13193252

>>13193251

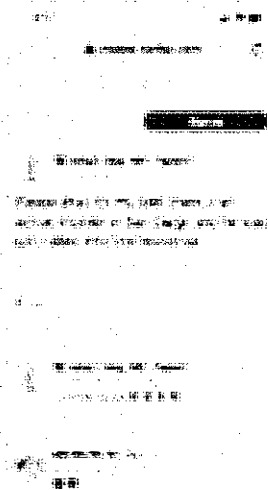
He said he burned that mosque directly after Tarrant,  
not now.

So it still checks out.

Anonymous 04/27/19 (Sat) 12:19:32 ID: 078285  
No.13193269 >>13193277 >>13193282

File (hide): 749e6c042f8b2b6...png (308.15 KB, 1125x2436, 375:812,

CardImage.png) (1) (2)

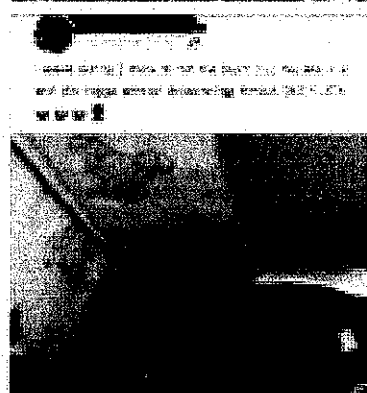


**GUYS**

Anonymous 04/27/19 (Sat) 12:19:35 ID: c50598  
No.13193271

File (hide): 4ab205b45ce7a75...jpg (81.13 KB, 478x768, 478:768,

niggers in charge of caren...jpg) (1) (2)



12:26



Sch.net

probably to throw off the sloppy job mossad retards  
claiming tarrant didn't name the jew so in a way he  
would be a worthy sequel to tarrants original  
masterpiece

Anonymous 04/27/19 (Sat) 12:20:20 ID: 8f4812  
No.13193275 >>13193294

&gt;&gt;13193252

Read

He admits he toasted the mosque and memes St BT

Anonymous 04/27/19 (Sat) 12:20:32 ID: 1a0845  
No.13193277 >>13193294

&gt;&gt;13193269

&gt;&gt;13193272

Oh shit, have we started the fire?

Anonymous 04/27/19 (Sat) 12:22:04 ID: f08ca7  
No.13193282 >>13193306

&gt;&gt;13193269

&gt;&gt;13193272

AND THERE WE GO

Anonymous 04/27/19 (Sat) 12:22:06 ID: 078285  
No.13193283

File (index: 25154a1a81b161c... png (1.34 MB, 1060x1443, 360:481,  
ClipboardImage.png) (0/10)



## Multiple people gunned down at Poway Synagogue, police search for shooter

Posted: 12:11 PM, Apr 27, 2019 Updated: 2 minutes ago



By: Maria Saville







**Group Work: Revisited Group Work**

12:26 4



Sch.net

## SAY IT WITH ME GUYS: HAIL JOHN "THE EARNEST" EARNEST!

Anonymous (You) 04/27/19 (Sat) 12:23:19 ID: 844612  
No.13193290

>>13193272

>>13193254 (You)

>>13193248 (You)

mb4 shooter in san diego tweet

Anonymous 04/27/19 (Sat) 12:23:24 ID: 5471dd  
No.13193291

Did he livestream it?

Anonymous 04/27/19 (Sat) 12:23:57 ID: 5aac52  
No.13193294

>>13193277

>We

You haven't done shit. HE started the fire. At a mosque in California, apparently. Kudos on

>>13193275 (You) for catching that.

>>13193248 (You)

Do you guys think we have another "Can't Corner the Dornier" scenario? Is he on the move?

Anonymous 04/27/19 (Sat) 12:24:07 ID: 000000  
No.13193295 >>13193305

Hopefully this was not the happening.

Steve Werby  
@stevewerby  
28s29 seconds ago

Steve Werby Retweeted Steve Werby

According to my wife, who just walked the half mile to the edge of the Chabad of Poway property, law enforcement has said the shooter has been captured. #sandiego #poway #chabad #activeshooter

Shooting inside the Chabad of Poway, California. Just across city of San Diego border. During religious services. At least one person shot. 2 children injured. 2 children missing. My source is County Sheriff via

12:26 4



Sch.net

Anonymous 04/27/19 (Sat) 12:23:57 ID: 5ecc52  
No.13193294

>>13193277

>We

You haven't done shit. HE started the fire. At a mosque in California, apparently. Kudos on

>>13193275 (you) for catching that.

>>13193248 (you)

Do you guys think we have another "Can't Corner the Domer" scenario? Is he on the move?

Anonymous 04/27/19 (Sat) 12:24:07 ID: 000000  
No.13193295 >>13193305

Hopefully this was not the happening:

Steve Werby

@stevewerby

28s29 seconds ago

Steve Werby Retweeted Steve Werby

According to my wife, who just walked the half mile to the edge of the Chabad of Poway property, law enforcement has said the shooter has been captured. #sandiego #poway #chabad #activeshooter

Shooting inside the Chabad of Poway, California. Just across city of San Diego border. During religious services. At least one person shot. 2 children injured. 2 children missing. My source is deputy sheriff via direct conversation, police band, and relative of person at Chabad.

Be aware of increased law enforcement activity in the 16000 block of Chabad Way as @SDSOPoway Deputies investigate reports of a man with a gun. Please stay clear of the area and allow deputies to safely do their job. Thank you for your patience and cooperation.

Anonymous 04/27/19 (Sat) 12:24:07 ID: 978a52  
No.13193296

File (hide): e8e735ce73c5181...jpg (880.83 KB, 1439x2161, 1439x2161,

SmartSelect\_20190427-15233...jpg) (h) (u)

FOX 5

ATTACHMENT A

This warrant applies to information associated with 8chan posting with ID 4e267a and No. 13192921 and all postings by individuals <sup>in response to</sup> ~~who responded~~ to said posting and <sup>or comments</sup> ~~or commented~~ about the posting, owned, maintained, controlled, or operated by 8ch.net, 9120 Double Diamond Parkway, Suite 5901, Reno, NV 89521.

## ATTACHMENT B

All information, including but not limited to, IP address and metadata information, related to 8chan posting with ID 4e267a and No. 13192921 and all postings by individuals <sup>in response</sup> ~~who responded~~ to said posting and/or <sup>Comments</sup> ~~commented~~ about said posting, as well as all postings made by the same IP addresses that were used to post ID 4e267a and No. 13192921, which are evidence of violations of federal law, namely, intentional obstruction by force or threat of force of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1) and damage to religious property, in violation of 18 U.S.C. § 247(a)(1).

M/R  
 JMS

NOT  
 gph



## UNITED STATES DISTRICT COURT

FILED

~~SEALED~~for the  
Southern District of California

APR 29 2019

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTYIn the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Case No.

Information that is stored at Facebook,  
1601 Willow Road, Menlo Park, California 94025

CASE UNSEALED PER ORDER OF COURT

19MJ1756

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 247(a)(2);	Intentional obstruction by force of persons in the free exercise of religious belief;
18 U.S.C. § 249(a)(1);	Willfully causing bodily injury to persons through the use of a firearm because of
18 U.S.C. § 247(a)(1)	their actual or perceived religion; damage to religious property

The application is based on these facts:

See attached affidavit of ATF Senior Special Agent Matthew Beals

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Maria Solomon

Applicant's signature

FBI Special Agent Maria Solomon

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/28/19

Jill Burkhardt

Judge's signature

City and state: San Diego, California

Magistrate Judge Jill L. Burkhardt

Printed name and title

1 RMC

**ATTACHMENT A**

This warrant applies to information associated with following Facebook accounts:

Facebook ID Account Number 100027636555708, with Facebook User Name "John Earnest"; and

Facebook ID Account Number 100005829157939, with Facebook Username: "John Tocatina,"

that are stored at premises owned, maintained, controlled, or operated by Facebook, 1601 Willow Road, Menlo Park, California 94025

## **ATTACHMENT B**

### **I. Service of Warrant**

The officer executing the warrant shall permit Facebook, as custodian of the computer files described in Section II below, to locate the files and copy them onto removable electronic storage media and deliver the same to the officer.

### **II. Items Subject to Seizure**

All registration information; Phone and associated devices; Trusted devices; Deleted friends; Last location; IP history; Stored video and audio direct message communications; Any and all accounts associated by cookie; User Names and profile names; E-mail addresses and passwords; Any and all live stream video associated with account; Profile information; Friends information; Private messages in the user's inbox, sent messages, trash/deleted messages, notifications and updates involving any and all user; Chat information in the user's inbox, sent messages, trash/deleted messages, notifications and updates involving any and all user; IP logs (which includes the date stamps of the IP logs at login), initial login IP address and account activity and other information including name, address, phone number and other screen names that may tend to identify the user; and any other files associated with the following accounts:

Facebook ID Account Number 100027636555708, with Facebook User Name "John Earnest"; and

Facebook ID Account Number 100005829157939, with Facebook Username: "John Tocatina,"

(hereinafter, the "**SUBJECT ACCOUNTS**"). The search of the data supplied by Facebook, Inc., pursuant to this warrant will be conducted as provided in the "Procedures for Electronically Stored Information" of the affidavit submitted in support of this search warrant and will be limited to:

a. Communications, data, or attachments relating to the research, purchase, or acquisition of firearms, and the research or manufacture of incendiary or explosive devices;

b. Communications, data, or attachments tending to identify others involved in the criminal activity described below;

c. Communications, data, or attachments third parties with whom John Ernest discussed the criminal activities described below;

d. Communications, data, or attachments relating to John Earnests' motivation and bias for committing the criminal activities described below;

e. Communications, data, or attachments relating to the research of, visits to, or other connections with the Synagogue located on Chabad Way in Poway, California, and/or the Dar-ul-Arqam Mosque and Islamic Center (the "mosque"), located at 318 West 6th Avenue in Escondido, California;

f. Communications, data, or attachments relating to the research or viewing of news articles and reports about the arson that occurred at the mosque in Escondido, California on March 24, 2019, or criminal acts committed by other individuals involving criminal activity described below;

g. Communications, data, or attachments relating to recruiting and inspiring individuals to engage in the criminal activity described below;

h. Communications, data, or attachments relating to the whereabouts of John Earnest and any criminal associates or co-conspirators at the of the April 27, 2019, shooting at the synagogue on Chabad Way in Poway, and the March 24, 2019, arson of the mosque in Escondido, California;

i. Communications, data, or attachments that tend to provide context to the information described above, such as direct messages sent or received in temporal proximity to any relevant communications, or communications, data, or attachments tending to identify the user of or person with control over the **SUBJECT ACCOUNTS**.

during the time period from January 1, 2017, through April 27, 2019, which tend to prove violations of federal law, namely, intentional obstruction, by force or threat of force, of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. § 247(a)(1).



**AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANT**

I, Maria Solomon, being duly sworn, state:

**I. INTRODUCTION**

1. This affidavit is submitted in support of an application for a search warrant pursuant to 18 U.S.C. 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), for information associated with the following Facebook accounts:

Facebook ID Account Number 100027636555708, with Facebook User Name "John Earnest"; and

Facebook ID Account Number 100005829157939, with Facebook Username: "John Tocatina,"

(hereinafter the "**SUBJECT ACCOUNTS**"), used by John Earnest, and stored at the premises owned, maintained, controlled, or operated by Facebook, 1601 Willow Road, Menlo Park, California 94025, more fully described in Attachment A.

2. As more fully described herein, there is probable cause to believe that within the **SUBJECT ACCOUNTS**, more fully described in Attachment A, will be found evidence of violations of federal law, namely, intentional obstruction, by force or threat of force of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. § 247(a)(1), as more fully described in Attachment B.

**II. EXPERIENCE AND TRAINING**

3. I am Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed as such for eight years. I am currently assigned to the San Diego FBI Joint Terrorism Task Force ("JTTF") and have been assigned to this position since 2015. Prior to being assigned to the JTTF, I investigated National

Security matters including espionage and proliferation. I have received extensive training in evidence collection to include post blast investigations and served on the FBI's Evidence Response Team for six years. As part of my duties as a Special Agent, I have been responsible for investigation violations of federal law, including violations of material support to terrorism, espionage, weapons proliferation and weapons of mass destruction.

4. My knowledge of the facts alleged in this affidavit arises from my training and experience, my personal observations, my participation in the federal investigation described herein, my conversations with other law enforcement agents, and my review of documents obtained during this investigation. Because this affidavit is submitted for the limited purpose of securing a search warrant as described herein, it does not include every fact known to me concerning this investigation.

### **III. FACEBOOK**

5. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

6. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail addresses, Facebook, passwords, Facebook security questions and answers (for passwords retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

7. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a “Friend request.” If the recipient of a “Friend request” accepts the requests, then the two users will become “Friends” for the purposes of Facebook and can exchange communications or view information about each other. Each Facebook user’s account includes a list of that user’s “Friends” and a “News Feed,” which highlights information about the user’s “Friends,” such as status updates, profile changes, upcoming events, and birthdays.

8. Facebook users can select different levels of privacy for the communications and information associate with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users. A Facebook user can also create “lists” of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that user can adjust to control, for example, the types of notifications they receive from Facebook.

9. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

10. Facebook has a Photos application, where users can upload an unlimited number of albums and photos. Another feature of the Photos application is the ability to “tag” (i.e., label) other Facebook users in a photo or video. For

Facebook's purposes, the photos associated with a user's account will include all photos upload by that user that have not been deleted, as well as all photos uploaded by any user that have that user tagged in them.

11. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail message, are sent to the recipient's "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

#### **IV. PROBABLE CAUSE**

12. During the course of my current duties, I have learned the following from consulting with other state, local and federal law enforcement officers, including San Diego Sheriff's Department (SDSD) Detectives, San Diego County District Attorney Investigators, and my fellow FBI agents.

13. On April 27, 2019 at approximately 11:23 am. San Diego Sheriff's Communication Center received a 911 call of shots fired at the Synagogue located on Chabad Way in Poway. The reporting party, Dan Sedereff, stated shots were fired in the synagogue.

14. During a briefing by the SDSD following the incident, it was reported that a white male, later identified as John Earnest, entered the synagogue through the front door and fired several rounds from an AR15 rifle. He then proceeded further into the synagogue where he began firing rounds from a handgun.

15. The SDSD stated that inside the synagogue was off-duty Border Patrol Agent Jonathan Morales who retrieved a revolver weapon from one of the congregation members and chased the suspect out of synagogue firing four shots at him as he got into a silver Honda that was parked across the street from the church. The Honda fled northbound on Rancho Bernardo Road. Morales then returned the gun to the congregation members who placed it in a black prayer bag and left it in the synagogue.

16. It was determined by officers that four people were shot and transported to the hospital.

17. SDSD Deputies responded to the synagogue along with paramedics. The synagogue was secured by deputies pending obtaining a search warrant from state authorities, which was planned to be executed later that day.

18. The same day (April 27, 2019), at approximately 11:30 a.m., a male who identified himself as John Earnest called into California Highway Patrol emergency line stating that he had fired shots into the synagogue and was willing to surrender to law enforcement. Earnest called from phone number 858.999.1461. Earnest gave his location as Phil's BBQ at 17051 West Bernardo Center Dr. He stated he was in possession of an AR15 Smith & Wesson MP15 rifle and several rounds of ammunition in his vehicle but that he would not use them against law enforcement. During that call, Earnest made the following comments, among others: "I just shot up a synagogue. I'm defending my country . . . I'm just trying to defend my nation against the Jewish people; they're destroying our people . . . I opened fire at a synagogue; I think I killed some people." I am informed and believed that Smith & Wesson does not manufacture firearms in the State of California.

19. San Diego Police Department ("SDPD") Officers responded to that location and took John Earnest into custody without further incident. Seen on the front passenger seat was an AR15 rifle but no handgun was visible. Additionally, in



the vehicle was a helmet with a Go-Pro camera on it. SDPD Officers were holding the vehicle secure at the location pending obtaining and executing a state search warrant.

20. While on scene at the vehicle, it was learned that one of the victims, Laurie Kay, died as a result of gunshot wounds.

21. During a public safety interview with SDPD Detective Rudy Castro, John Earnest confirmed his home address as 10134 Freeport Ct., San Diego CA. He further stated that there were no further weapons at the home. At that time, Earnest did not appear to be under the influence of a controlled substance but did appear to have a "flat affect" as though he was detached or unaffected by his actions.

22. SDPD SWAT officers and Detectives responded to the residence on Freeport Ct. The parents of the suspect were contacted and escorted from the home and taken to the Sheriff's Poway substation, pending the execution of a state search warrant on their residence. While at the substation, the parents informed law enforcement that their son frequently uses a computer in their home.

23. Using various search methods, Whitney Buckingham an SDSD system data miner, found a manifesto on Pastebin.com written by a person identifying himself as John Earnest. In the manifesto, which he named "An Open Letter", Earnest made many anti-semitic and anti-muslim statements. One such statement which is a direct quote is, "As an individual, I can only kill so many Jews." He states he is not a terrorist but that he hates anyone who he sees as a threat to his country. Earnest took credit for a fire that had been set at mosque in Escondido a few weeks earlier. His exact statement was "I scorched a mosque in Escondido with gasoline a week after Brenton Tarrant's sacrifice and they never found shit on me." Additionally, he wrote "I spray-painted on the parking lot. I wrote 'For Brenton Tarrant -t./pol/'."

24. I observed part of the post-Miranda statement of Earnest. During that interview, he informed an SDSD Detective that he had adopted his ideology of hate for members of the Jewish religion approximately 18 month earlier. Based on my training and experience, I know that there is a process in which someone undergoes adoption of radical ideologies. This process can take several months or several years before a person actually commits to those ideologies. During the interview, Earnest also stated that he was inspired by individuals such as Adolph Hitler and Brenton Tarrant.

25. Based on information received from Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) Special Agent Scott Brahlin, on March 24, 2019, an unknown individual set fire to a mosque in Escondido, California.

26. Specifically, on March 24, 2019, at approximately 3:19 a.m., a 911 call was placed to report a fire at the Dar-ul-Arqam Mosque and Islamic Center (“mosque”), located at 318 West 6th Avenue in Escondido, California. The Escondido Fire Department and then Escondido Police Department (“EPD”) responded. First responders learned approximately seven individuals had been spending the night at the mosque and, at approximately 3:15 a.m., they had observed flames and rushed outside to extinguish them with a fire extinguisher. First responders noticed ash or charring along approximately half the length of the mosque’s west side and spray-painted writing on the asphalt parking lot near where the fire had occurred that read, “FOR BRENTON TARRAN r/pol/.” First responders also noticed the odor of, or similar to, gasoline at the location of the fire.

27. Investigators conducted an online search for “Brenton Tarran” and noted that he was arrested for the mass shootings at two mosques in New Zealand that occurred on March 15, 2019 and is believed to be a white supremacist. Investigators also learned “r/pol/” is a reference to an online political discussion

board that has been characterized as predominately racist, espousing views embraced by white supremacist groups.

28. Investigators reviewed surveillance footage retrieved from a business across the street from the mosque. The camera recorded an individual (“suspect”) park his/her four-door sedan in front of the mosque at approximately 3:00 a.m. In the video, the suspect exited the vehicle, walked towards the parking lot where the message was later found spray painted, and then returned to the vehicle. Shortly thereafter, the suspect again exited the car carrying a large container and walked toward the area of the mosque where the fire was set. A short time later, at approximately 3:15 a.m., a large flash of light and smoke are seen in the video and the suspect walked back to the vehicle and drove away westbound on West 6th Avenue. In surveillance videos obtained from businesses along the route, investigators observed that the suspect appeared to arrive at the mosque on March 24, 2019 by driving eastbound on West 9th Avenue, northbound on South Escondido Boulevard, and then westbound on West 6th Avenue, where he parked in front of the mosque. Investigators also observed, as noted above, that the suspect left the area by driving westbound on West 6th Avenue. Based on their review of surveillance videos, investigators believed that the suspect was driving a 2010 to 2015 Civic Honda, silver in color.

29. Earnest’s statements in the manifesto that he set fire to the Escondido mosque on March 24, 2019, is corroborated by the following. At the time of his arrest for the synagogue shooting, Earnest was driving a 2012 Honda Civic, grey in color. Additionally, the spray painted message left by the mosque arsonist was not released to the media. The fact that the manifesto specifically makes reference to that message further corroborates that Earnest committed the mosque arson.

30. On April 27, 2019, Greg Simon of the SDPD located and viewed an open source online post regarding the shooting at the synagogue. The post

purportedly contains a livestream link referencing the shooting at <https://www.facebook.com/john.earnest.96780> (i.e., Facebook Account Number 100035547390347, with user name “john.earnest.96780.”

31. On April 27, 2019, following the synagogue shooting, FBI Special Agent Scott Norris submitted a request to Facebook for emergency disclosure of records for the “john.earnest.96780” Facebook account, pursuant to 18 U.S.C. § 2702. In response to that request, the Facebook provided records which listed the user’s phone as 858.999.1461 (the same number Ernest used to call the CHP on April 27, 2019). Facebook verified the number on April 7, 2019. Facebook identified two additional Facebook accounts possibly utilized by the user of the john.earnest.96780 Facebook account, which were accessed via the same browser and the same electronic device. Those accounts are the **SUBJECT ACCOUNTS**. ~~The response also indicated that the user of phone number of 858.999.1461 (the same number Ernest used to call the CHP on April 27, 2019).~~ *PCB JLB*

### Opinions and Conclusions

32. I know from my training and experience, including consultation with other law enforcement agents, in investigations involving Facebook that electronic service providers maintain business records that include information listed under the Items Subject to Seizure in Attachment B.

33. Based on my training and experience, including consultation with other agents involved in the investigation and prosecution of hate crimes, I know the following:

a. It is common for individuals who commit hate crimes to discuss such matters, with co-conspirators via telephone, text messages, emails and social media – both before and after such crimes – for the purpose of planning and providing updates to one another.

b. It is also common that individuals who commit hate crimes to discuss their criminal activities with trusted third parties, including friends or loved ones, before and after the commission of such crimes, via text messages, emails and social media.

c. It is also common for such individuals who commit hate crimes to communicate with other like-minded individuals who support their ideologies, beliefs and violent actions, via text messages, emails and social media;

d. It is common for individuals who commit hate crimes to visit or research the planned site of the crimes, prior to committing said crimes, for the purposes of planning the successful execution of their criminal activity and their getaway, and evidence of such research or prior connection may be in their social media sites, including private messaging with third parties;

e. It is common for individuals who commit hate crimes to post statements or send messages to others regarding their bias and motivation for committing such crimes, which evidence may be found in their social media sites, including private messaging with third parties;

f. It is common for individuals who commit hate crimes to conduct research regarding hate crimes committed by themselves and others, and evidence of such research may be found in their social media sites, including private messaging with third parties;

g. It is common for individuals who commit hate crimes to recruit others individuals to adopt their ideological beliefs and inspire others to commit violent acts in support of those beliefs, and evidence of such recruitment may be found in their social media sites, including private messaging with third parties.

h. It is common for individuals who commit hate crimes to conduct research regarding the tools and means to carry out their hate crimes, including



research involving obtaining, manufacturing and/or using firearms, dangerous weapons, and incendiary and explosive devices.

34. Based on my training and experience, and my consultation with my fellow agents, I also believe that the evidence I seek remains in and will be found in the **SUBJECT ACCOUNTS** despite the passage of time. Routinely, during previous cases involving the search of electronically stored data, relevant investigative information is found dating back several months or even years.

## **V. SEARCH PROTOCOL**

### **A. Genuine Risk of Destruction of Evidence**

35. Based upon my experience and training, and the experience and training of other agents with whom I have consulted with, electronically stored data can be permanently deleted or modified by users possessing basic computer skills. In this case, only if the subject receives advance warning of the execution of this warrant, will there be a genuine risk of destruction of evidence.

### **B. Prior Attempt to Obtain Evidence**

36. State authorities have obtained a state search warrant for the Facebook Account, User Name "john.earnest.96780." As indicated above, federal agents also obtained emergency disclosure of limited records for the "john.earnest.96780" Facebook Account which information disclosed the additional **SUBJECT ACCOUNTS**. The United States is unaware of any search warrant applications for the **SUBJECT ACCOUNTS**.

### **C. Procedures for Electronically Stored Information**

37. Federal agents and investigative support personnel are trained and experienced in identifying communications relevant to the crimes under investigation. The personnel of Facebook are not. It would be inappropriate and impractical for federal agents to search the vast computer network of Facebook for

the relevant accounts and then to analyze the contents of those accounts on the premises of Facebook. The impact on Facebook's business would be severe.

38. Therefore, I request authority to seize all content, including electronic mail and attachments, stored instant messages, stored voice messages, photographs and any other content from the **SUBJECT ACCOUNTS**, as described in Attachment B. In order to accomplish the objective of the search warrant with a minimum of interference with the business activities of Facebook, to protect the rights of the subject of the investigation and to effectively pursue this investigation, authority is sought to allow Facebook to make a digital copy of the entire contents of the accounts subject to seizure. That copy will be provided to me or to any authorized federal agent. The copy will be forensically imaged and the image will then be analyzed to identify communications and other data subject to seizure pursuant to Attachment B. Relevant data will be copied to separate media. The original media will be sealed and maintained to establish authenticity, if necessary.

39. Analyzing the data to be provided by Facebook may require special technical skills, equipment and software. It also can be very time-consuming. Searching by keywords, for example, often yields many thousands of "hits," each of which must be reviewed in its context by the examiner to determine whether the data is within the scope of the warrant. Merely finding a relevant "hit" does not end the review process. Certain file formats do not lend themselves to keyword searches and keyword search text. Many common electronic mail, database and spreadsheet applications, which files may have been attached to electronic mail, do not store data as searchable text. The data is saved in a proprietary non-text format. The volume of storage allotted by service providers increases, the time it takes to properly analyze recovered data increases dramatically.

40. Based on the foregoing, searching the recovered data for the information subject to seizure pursuant to this warrant may require a range of data

analysis techniques and may take weeks or even months. Keywords need to be modified continuously based upon the results obtained. The personnel conducting the examination will complete the analysis within (90) days of receipt of the data from the service provider, absent further application to this court.

41. Based upon my experience and training, and the experience and training of other agents with whom I have communicated, it is necessary to review and seize all electronic mails that identify any users of the **SUBJECT ACCOUNTS** and any electronic mails sent or received in temporal proximity to incriminating electronic mails that provide context to the incrimination mails.

42. All forensic analysis of the imaged data will employ search protocols directed exclusively to the identification and extraction of data within the scope of this warrant.

43. FBI Special Agents have been in contact with Facebook, who is expecting FBI to serve them with the warrant as soon as it is signed. For that reason, we are requesting permission to serve the warrant on Facebook at any time, day or night.

#### **VI. REQUEST FOR SEALING AND PRECLUSION OF NOTICE**

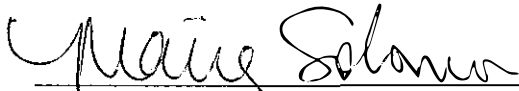
44. Although John Earnest has been arrested by state authorities, he is unaware of the scope and nature of law enforcement's investigation into his activities. Additionally, law enforcement is still investigating whether he acted alone, or conspired with others or was inspired by others. As such, there is reason to believe that that disclosure of the affidavit and warrant will result in destruction of or tampering with evidence or otherwise seriously jeopardize the investigation. Accordingly, it is requested that this warrant and its related materials be sealed until further order of the Court. In addition, pursuant to Title 18, United States Code, Section 2705(b), it is requested that this Court order Facebook to whom this warrant is directed not to notify anyone of the existence of this warrant, other than its

personnel essential to compliance with the execution of this warrant until October 25, 2019, absent order from the Court.

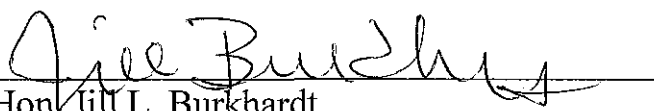
**VII. CONCLUSION**

45. Based on the foregoing, your affiant submits that there is probable cause to believe that violations of federal criminal law, namely, violations of federal law, namely, intentional obstruction, by force or threat of force of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. § 247(a)(1), have occurred, and that evidence of said violations, as described in Attachment B will be found within the **SUBJECT ACCOUNTS**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

  
\_\_\_\_\_  
Maria Solomon  
FBI, Special Agent

Sworn to before me this  
28<sup>th</sup> day of April \_\_\_\_ 2019

  
\_\_\_\_\_  
Hon. Jill L. Burkhardt  
UNITED STATES MAGISTRATE JUDGE

**ATTACHMENT A**

This warrant applies to information associated with following Facebook accounts:

Facebook ID Account Number 100027636555708, with Facebook User Name "John Earnest"; and

Facebook ID Account Number 100005829157939, with Facebook Username: "John Tocatina,"

that are stored at premises owned, maintained, controlled, or operated by Facebook, 1601 Willow Road, Menlo Park, California 94025



## **ATTACHMENT B**

### **I. Service of Warrant**

The officer executing the warrant shall permit Facebook, as custodian of the computer files described in Section II below, to locate the files and copy them onto removable electronic storage media and deliver the same to the officer.

### **II. Items Subject to Seizure**

All registration information; Phone and associated devices; Trusted devices; Deleted friends; Last location; IP history; Stored video and audio direct message communications; Any and all accounts associated by cookie; User Names and profile names; E-mail addresses and passwords; Any and all live stream video associated with account; Profile information; Friends information; Private messages in the user's inbox, sent messages, trash/deleted messages, notifications and updates involving any and all user; Chat information in the user's inbox, sent messages, trash/deleted messages, notifications and updates involving any and all user; IP logs (which includes the date stamps of the IP logs at login), initial login IP address and account activity and other information including name, address, phone number and other screen names that may tend to identify the user; and any other files associated with the following accounts:

Facebook ID Account Number 100027636555708, with Facebook User Name "John Earnest"; and

Facebook ID Account Number 100005829157939, with Facebook Username: "John Tocatina,"

(hereinafter, the "**SUBJECT ACCOUNTS**"). The search of the data supplied by Facebook, Inc., pursuant to this warrant will be conducted as provided in the "Procedures for Electronically Stored Information" of the affidavit submitted in support of this search warrant and will be limited to:

a. Communications, data, or attachments relating to the research, purchase, or acquisition of firearms, and the research or manufacture of incendiary or explosive devices;

b. Communications, data, or attachments tending to identify others involved in the criminal activity described below;

c. Communications, data, or attachments third parties with whom John Ernest discussed the criminal activities described below;

d. Communications, data, or attachments relating to John Earnests' motivation and bias for committing the criminal activities described below;

e. Communications, data, or attachments relating to the research of, visits to, or other connections with the Synagogue located on Chabad Way in Poway, California, and/or the Dar-ul-Arqam Mosque and Islamic Center (the "mosque"), located at 318 West 6th Avenue in Escondido, California;

f. Communications, data, or attachments relating to the research or viewing of news articles and reports about the arson that occurred at the mosque in Escondido, California on March 24, 2019, or criminal acts committed by other individuals involving criminal activity described below;

g. Communications, data, or attachments relating to recruiting and inspiring individuals to engage in the criminal activity described below;

h. Communications, data, or attachments relating to the whereabouts of John Earnest and any criminal associates or co-conspirators at the of the April 27, 2019, shooting at the synagogue on Chabad Way in Poway, and the March 24, 2019, arson of the mosque in Escondido, California;

i. Communications, data, or attachments that tend to provide context to the information described above, such as direct messages sent or received in temporal proximity to any relevant communications, or communications, data, or attachments tending to identify the user of or person with control over the **SUBJECT ACCOUNTS**.

during the time period from January 1, 2017, through April 27, 2019, which tend to prove violations of federal law, namely, intentional obstruction, by force or threat of force, of persons in the free exercise of religious belief, resulting in death, in violation of 18 U.S.C. § 247(a)(2), willfully causing bodily injury to persons through the use of a firearm because of the actual or perceived religion of said persons, resulting in death, in violation of 18 U.S.C. § 249(a)(1), and damage to religious property, in violation of 18 U.S.C. § 247(a)(1).